

1 HONORABLE JOHN C. COUGHENOUR  
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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE  
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9 JEFF OLBERG, an individual, CECILIA ANA  
10 PALAO-VARGAS, an individual, MICHAEL  
11 CLOTHIER, an individual, and JACOB  
12 THOMPSON, an individual, on behalf of  
13 themselves and all others similarly situated,

14 Plaintiffs,

15 v.

16 ALLSTATE INSURANCE COMPANY, an  
17 Illinois Corporation and ALLSTATE FIRE AND  
18 CASUALTY INSURANCE COMPANY, an  
19 Illinois Corporation, and CCC INTELLIGENT  
20 SOLUTIONS INCORPORATED, a Delaware  
21 Corporation

22 Defendants.

23 Case No. 2:18-cv-00573-JCC

24 **[PROPOSED] ORDER EXTENDING  
25 DEADLINE TO SUBMIT JOINT  
STATUS REPORT**

26 **NOTE ON MOTION CALENDAR:**  
27 July 7, 2022

28 Pursuant to Local Rule 7(d)(1), Plaintiffs Jeff Olberg, Cecilia Ana Palao-Vargas Michael  
1 Clothier, and Jacob Thompson; and Defendants Allstate Insurance Company, Allstate Fire and  
2 Casualty Insurance Company, and CCC Intelligent Solutions Inc. (“CCC”) (collectively, the  
3 “Parties”) hereby stipulate as follows:

4 1. WHEREAS, on July 23, 2021, this Court entered its Minute Order (Dkt. No. 169)  
5 staying a decision on Plaintiffs’ motion for class certification (Dkt. Nos. 104, 106) and ordering  
6 the Parties to provide the Court with a joint written status report and proposed case schedule within  
7 ten days after the Ninth Circuit Court of Appeals issued its mandate in *Lara v. First Nat’l Ins. Co.*  
8 *of Am.*, Case No. 21-35126 (9th Cir. 2021) (“*Lara*”).

9 2. On February 11, the Ninth Circuit filed its opinion in *Lara* affirming Judge Bryan’s

1 denial of class certification in *Lundquist v. First Nat'l Insurance Co. of Am.*, Case No. 3:18-cv-  
 2 05301-RJB. *Lara*, Dkt. No. 86.

3       3. On March 28, 2022, the plaintiffs-appellants in *Lara* petitioned for rehearing and  
 4 rehearing en banc. *Lara*, Dkt. No. 89.

5       4. On May 10, 2022, the Ninth Circuit denied the petition for rehearing and rehearing  
 6 en banc in *Lara*. *Lara*, Dkt. No. 106.

7       5. On June 7, 2022, the Ninth Circuit issued its mandate in *Lara*. *Lara*, Dkt. No. 111.  
 8 Accordingly, the deadline for the Parties to submit their joint status report is June 17, 2022.

9       6. On June 16, 2022, the Parties filed a Stipulated Motion To Extend Deadline To  
 10 Submit Joint Status Report, Dkt. No. 175, which this Court granted on June 17, 2022, Dkt. No.  
 11 176.

12       7. On June 24, 2022, the Parties filed a Stipulated Motion To Extend Deadline To  
 13 Submit Joint Status Report, Dkt. No. 177, which this Court granted on June 27, 2022, Dkt. No.  
 14 178.

15       8. The Parties jointly and respectfully request an additional extension of 45 days for  
 16 the deadline to submit a joint status report. The Parties are pursuing settlement negotiations, and  
 17 the requested extension will allow the Parties to conduct those negotiations without the pressure  
 18 of immediate court deadlines.

19       Based on the foregoing, the Parties stipulate and agree that good cause exists to extend the  
 20 deadline to submit a joint status report to August 22, 2022.

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1 Pursuant to stipulation, it is so ORDERED this 7th day of July 2022.  
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6 John C. Coughenour  
 7 UNITED STATES DISTRICT JUDGE  
 8 Respectfully submitted,

9 Dated: July 7, 2022

<p>10 <u>/s/ Steve W. Berman</u>    11 Steve W. Berman    12 Hagens Berman Sobol Shapiro LLP    13 1301 2nd Avenue, Suite 2000    14 Seattle, WA 98101    15    16 Attorney for Plaintiff</p>	<p>17 <u>/s/ Kathleen M. O'Sullivan</u>    18 Kathleen M. O'Sullivan, WABA No. 27850    19 Perkins Coie LLP    20 1201 Third Avenue, Suite 4900    21 Seattle, WA 98101    22 Telephone: 206.583.8888    23 Facsimile: 206.583.8500    24 Email: KOSullivan@perkinscoie.com    25    26 Attorneys for Defendant CCC Intelligent    27 Solutions Inc.</p>
<p>18 John M. DeStefano    19 Robert B. Carey    20 Elizabeth T. Beardsley    21 Hagens Berman Sobol Shapiro LLP    22 11 West Jefferson Street, Suite 1000    23 Phoenix, AZ 85003    24    25 Attorneys for Plaintiff</p>	<p>26 <u>/s/ Marguerite M. Sullivan</u>    27 Marguerite M. Sullivan (pro hac vice)    28 Jason R. Burt (pro hac vice)    29 Latham &amp; Watkins LLP    30 555 11th Street NW, Suite 1000    31 Washington, DC 20004    32 Telephone: 202.637.2200    33 Email: marguerite.sullivan@lw.com    34 jason.burt@lw.com    35    36 Attorneys for Defendant CCC Intelligent    37 Solutions Inc.</p>
<p>38 David L. Woloshin    39 Dina S. Ronsayro    40 Astor Weiss Kaplan &amp; Mandel, LLP    41 200 South Broad Street, Suite 600    42 Philadelphia, PA 19102    43    44 Attorneys for Plaintiffs</p>	<p>45 Steven J. Pacini (pro hac vice)    46 Latham &amp; Watkins LLP    47 200 Clarendon Street    48 27th Floor    49 Boston, MA 02116    50 Telephone: 617.880.4516    51 Email: steven.pacini@lw.com</p>

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## **CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on July 7, 2022 a true and correct copy of the foregoing was filed electronically by CM/ECF, which caused notice to be sent to all counsel of record.

DATED this 7th day of July, 2022.

s/ Marguerite M. Sullivan